

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan CEBON et al.

Title: IN VIVO EFFICACY OF NY-
ESO-1 PLUS ADJUVANT

Appl. No.: 10/573,753

Filing Date: 08/08/2006

Examiner: Marianne Dibrino

Art Unit: 1644

Confirmation 3988

Number:

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY
AMENDMENT UNDER 37 CFR 1.115**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed February 23, 2009, Applicant hereby elects the subject matter of **Group III** (claims 20 – 33), for examination in the subject application. In response to the election of species requirement, Applicant hereby elects the species where **ISCOMATRIX** is the saponin based adjuvant that comprises a sterol. Claims 20-27 read on this species.

Applicant respectfully requests that the application be amended as follows prior to examination:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 3 of this document.